

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Call to Order:** By **CHAIRMAN JOHN WITT**, on January 8, 2001 at 8:30 A.M., in Room 102 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. John Witt, Chairman (R)  
Sen. Ken Miller, Vice Chairman (R)  
Rep. Rosalie (Rosie) Buzzas (D)  
Sen. Greg Jergeson (D)  
Sen. Royal Johnson (R)  
Rep. Art Peterson (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Beckie Beckert-Graham, OBPP  
Dave Brown, Legislative Branch  
Amy Carlson, OBPP  
Pam Joehler, Legislative Branch  
Cayenna Johnson, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: Board of Public Education  
Executive Action: None.

***{Tape : 1; Side : A; Approx. Time Counter : 22}***

#### **HEARING ON BOARD OF PUBLIC EDUCATION**

**Dave Brown**, analyst for the **Legislative Fiscal Division(LFD)**, opened with extractions from the Legislative Budget Analysis and Governor Elect Judy Martz's Executive Budget commenting that both budgets seemed fair and without hidden intent. The Martz Executive Budget makes no major changes. In the case of the Board of Public Education, Martz recommends elimination of DP1-Standards Adoption Implementation. The LFD has also prepared a comparison of recommendations and requests in a single document.

**EXHIBIT(jeh05a01)****Proponents' Testimony:**

*{Tape : 1; Side : A; Approx. Time Counter : 32; Comments : Side B is empty due to technical error. }*

**Diane Fladmo, Vice Chair, Board of Public Education,** submitted written testimony.

**EXHIBIT(jeh05a02)**

**Ms. Fladmo** urged Legislative support of DP 1-Standards Adoption Implementation for funding of independent assessment of the Office of Public Instruction's(OPI) recommendations to the Board of Public Education. In addition, Ms. Fladmo urges the committee to reconsider the original agency request for \$16,000 annually for membership fees to the National Association of State Boards of Education (NASBE).

**Dr. Wayne Buchanan, Executive Secretary of the Board of Public Education,** stated that 1989 was a tough year for legislature. In order to cut budgets most agencies gave up their national association dues. These agencies found these national associations were extremely important as national boards preventing boards from making mistakes.

*{Tape : 1; Side : B; Approx. Time Counter : 50}*

**Bill Cooper, OPI,** spoke to affirm the testimonies of both **Ms. Fladmo** and **Dr. Buchanan** stating that the BPE and OPI relationship has never been more productive. Membership fees to NASBE would increase the productivity of this relationship.

**EXHIBIT(jeh05a03)**

**Bob Vogel, Director of Government Relations,** representing **Montana School Boards Association(MSBA)** gave a school district perspective as a school district employee for over 14 years. He very much appreciates the BPE and wanted to reiterate that both proposals are reasonable requests. He supports the BPE and believes they need resources at their disposal for the implementation of Montana school standards.

**EXHIBIT(jeh05a04)**

**Loran Frazier, School Administrators of Montana (SAM),** supports the BPE, who have taken on the challenges set by legislators and need the funds to continue to implement standards for Montana.

**EXHIBIT(jeh05a05)**

**Inga Nelson, Montana Educators Association-Montana Federation of Teachers (MEA-MFT)**, also supports both BPE budget requests both for implementation and resources.

**Opponents' Testimony:** None.

**Questions from Committee Members and Responses:**

At **REP. BUZZAS'** request **Ms. Fladmo** informed the committee that members of the Board of Public Education, with seven year terms are not paid, nor do they claim all reimbursements for travel.

**{Tape : 2; Side : A; Approx. Time Counter : 1.1}**

**REP. PETERSON** asked **Ms. Fladmo** how Montana would participate in the national movement as stated in Florida in streamlining, [referring to a combination or "super board" of the Board of Regents and a \*BPE or OPI\*] or modernizing education for "seamless web of education". **Ms. Fladmo** responded the benefits would be as follows: 1) sharing of staff, 2) professional development, 3) "2+2 approach" or high school students receiving college credit, 4) collaboration in terms of programming, 5) more communication with higher education for career development and feels BPE and Regents more often work as a "Board of Education" rather than separate entities. Both agencies are busy, but both are willing to work towards the goal of collaboration.

**SEN. JERGESON** asked **Dr. Buchanan** what appropriation have been made to BPE in the past. In 1997-1999 the Board requested and received a one time allocation of \$8,000 for the implementation of standards. **Mr. Frazier** wanted to emphasis how belonging a national association would avoid BPE from having to "reinvent the wheel".

**V. CHAIR MILLER** was concerned about duplication as OPI had also requested funds for implementation. Wouldn't allocations to the BPE "lighten" the OPI load? **Mr. Frazier** responded that, for the most part, the BPE was reliant on OPI for completing implementation since the BPE didn't have the funds to fully implement OPI recommendations. Neither agency is fully funded to implement the standards.

**{Tape : 2; Side : A; Approx. Time Counter : 9.8}**

**REP. BUZZAS** asked if it is a reality to change the budgets that are constitutionally set up with different functions. **REP. BUZZAS** then asks when was the last time standards were reviewed.

**Dr. Buchanan** replied that 1989 was the last time. **SEN. ROYAL JOHNSON** reiterated that the BPE is in charge of K-12 and the Board of Regents is in charge of higher education and together they form the Board of Education. According to **Dr. Buchanan**, the Board of Education meets at least twice per year and in 1997 the BPE made recommendations for the entities to work in a closer relationship.

*{Tape : 2; Side : A; Approx. Time Counter : 14 or 9:00 a.m.}*

At **CHAIRMAN WITT'S** request **Ms. Fladmo** gave a more specific breakdown of the original \$16,000 annual BPE request for membership to NASBE. Membership in NASBE is approximately \$14,500 with the remaining allocation for travel expenses.

**V. CHAIR MILLER** requested **Mr. Buchanan** expand on DP 2-Technology Upgrade. This upgrade is to keep up with increasing communication technology as these agencies need better technology to keep in touch with one another via long distance calls, mail or fax.

At **Mr. Brown's** request, **Ms. Fladmo** explained that each BPE member, with 7 year terms, spends \$1,000 per year "out of their own pocket" in travel and other expenses. According to **Mr. Buchanan** \$1000 is a modest assessment. Each BPE member contributes personal money because the BPE budget can't accommodate all the reimbursements.

The board is made up of **Dr. Kurt Miller**, Chair and superintendent from Havre; **Diane Fladmo**, Vice-Chair from Glendive; **Joy Silverthorn** in Pablo, Dixon; **Bob Brown** (now resigned due to his position as Secretary of State) in Kalispell, **Randy Morris** from Butte; and **Patty Myers** a teacher from Great Falls.

Also at **Mr. Brown's** request, **Ms. Fladmo** stated if she had to chose between both of the previous stated requests, implementation was more important.

**REP. BUZZAS** asked the OBPP what Governor-elect Martz's reasoning was for eliminating funds for implementation standards and **Ms. Beckert-Graham** responded that the money had previously been allocated as "one-time-only". **Ms. Fladmo** and **Dr. Buchanan** responded that implementation has just begun. They are asking for one time money again and will continue to do so as long as implementation concerns exist.

**SEN. JERGESON** asked **Dr. Buchanan** for more information on the relationship between OPI and BPE. BPE is looking for as an independent evaluation of BPE implementation of OPI standards.

OPI is beneficial and according to **Dr. Buchanan** BPE needs advice from independent sources. Although this description might lead to an implied duplication between the two agencies, they have a symbiotic relationship, and OPI's role in developing recommendation standards is as a facilitator at every step of involvement from BPE. BPE is making decisions with a staff of two. Therefore, OPI carries out much of BPE's implementation standards because of a greater staff (although it is not their specific responsibility.) **Ms. Fladmo** stated BPE works well with OPI and any disagreements would take a "meeting of the minds" although BPE has final authority to ultimately adopt standards. **SEN. MILLER** introduced the issue of OPI receiving a "D" or "F" for implementation standards in 1998-1999. **Ms. Fladmo** made two points about the assessment grade being unfair, 1) standards are different all over the nation, Montana has "Framework Standards" with local control and these schools are not given the opportunity to send in the supporting materials that differ between localities; and 2) Montana has a smaller budget in comparison to other states. In summary, the reviewers did not get a complete picture, and the grade of "F" was not well deserved.

**REP. PETERSON** asked **Ms. Fladmo** if she was interested in the trend of a "super board" combining Regents with OPI. **Ms. Fladmo** indicated a super board is a "wonderful idea" and "we ought to be taking steps in that direction, and we are." Whereas **REP. PETERSON** replied that "volunteerism is not dead".

**Hearing: Montana School for the Deaf and Blind**

***{Tape : 2; Side : B; Approx. Time Counter : 11.6 or 9:55 a.m.}***

**CHAIRMAN WITT** began by thanking **John Kinna** and **Bill Sykes** for an excellent tour on Friday [January 5] and that Mr. Kinna "could be a Ford salesman". **V. CHAIR MILLER** apologized for not being able to attend and that, "Ford's sell themselves".

**Mr. Brown**, opened with extractions from both the LFD Budget and Governor-elect Martz's Executive Budget which compared recommendations. He summarized MSDB was not asking for any substantial changes, only basic Present Law Adjustments (PLA). Some proposals, which were "lost in the shuffle" may or may not be discussed by the agency and committee.

***{Tape : 2; Side : B; Approx. Time Counter : 19.3; Comments : Approx: 10:00 a.m.}***

**Mr. Kinna**, began his testimony by thanking legislators for visiting MSDB. During the tour, legislators "saw technology";

most technology, Mr. Kinna reminded the legislators, was funded by corporate donations. Thanks to legislative money, many children in Montana are a lot happier. Unfortunately, MSDB doesn't have enough FTE's to address all of Montana's needs. Most companies won't replace equipment, but preferring to buy new equipment. Replacement is important [MSDB proposal DP 2]. Eight years prior, **Mr. Kinna** was asked to work as a temporary superintendent for MSDB. He didn't want to be involved with MSDB because of internal bureaucratic problems and said, "I only know one sign and it's very inappropriate". For **Mr. Kinna**, working with MSDB has been the highlight of his career.

**CHAIRMAN. WITT** thanked Mr. Kinna for his tour and told him MSDB "just reeked of efficiency" and was a fine example of state institutions, and that the state owes **Mr. Kinna** a great debt.

**Dr. Buchanan**, as a member of the Board of Public Education, reported that MSDB is one of the more delightful responsibilities of the board.

**Bill Sykes**, Business Manager of MSDB discussed two new proposals. The first computer replacements [DP 2]. MSDB originally asked for \$60,000 to establish a 4-year replacement cycle for computers. Martz reduced the figure to \$30,000 which indicated a 7-8 year computer replacement cycle. Presently there are 127 computers on campus, with 60 computers to replace which are 4-11 years old. **Mr. Sykes** also discussed the proposed salary increase of approximately \$37,000 for existing interpreters [DP 1]. Interpreters are paid much higher in surrounding states and MSDB simply cannot recruit interpreters as their present wage is \$13,000 for nine months, and requires both an out-of-state four year bachelors degree and certification ranging from costs \$600-1200 (at their own expense).

*{Tape : 3; Side : A; Approx. Time Counter : 0; Comments : Approx. 10:20 with approx. 5 minutes of meeting untaped}*

**Mr. Brown** presented a number of MSDB Administration programs for funding by the legislature as follows: Administrative Program No. 1, this staff provides purchasing, accounting, personnel and management for business affairs of the school. There are no new proposals or no major changes in the program. [**Exhibit 3**] Extract from Legislative Budget Analysis 2003, page 11, explains. Admin, Program No. 2, the General Services Program PLA are set at a normal parameter. Admin. Program No. 3 Student Services Program is for residential care for children living at the school. DP 5 Overtime for Student Travel was cut in the Executive Budget. Administrative Program No. 4, Education Program shows the PLA at a normal parameter with no major considerations. Administrative

Program No. 5 has the two new proposals already discussed, DP 1-Salary Increase for Interpreters and DP 2-Computers- Fund 4-year Replacement. In Decision Package No. 1, MSDB proposed pay increase for interpreters and teachers. Governor-elect Martz's reduction of DP 2 from \$60,000 to \$30,000 will not support a 4-year replacement cycle on Decision Package No. 2.

**[Tape : 3; Side : B; Approx. Time Counter : 7.9 or Time 10:25]**

**REP. PETERSON, Mr. Sykes** and **Mr. Brown** discussed the wage for interpreters. The \$13,000 per year annual wage of interpreters is low and with confirmation from **Mr. Brown**, surrounding states offer a much higher wage. In addition, interpretation training must be done out-of-state and the necessary certification, in addition to a bachelors degree, costs from \$600-\$1,200. There are seven interpreters in Montana, one working for MSDB. **REP. PETERSON** asked about the price of computers. **Mr. Sykes** reported that the cost of a computer is around \$1,800 with an education price break. This is only replacement of the PC's.

According to **SEN. JERGESON**, the impact of including the health insurance in the executive vacancy savings would cost the MSDB an extra \$1000. Ms. Beckert-Graham submitted figures to explain how Vacancy Savings was calculated for MSDB.

**EXHIBIT (jeh05a06)**

**{Tape : 3; Side : A; Approx. Time Counter : 18.6 or 10:36 a.m.}**

**V. CHAIR MILLER** reminded MSDB that the legislature provided \$7,200 during the last session, and MSDB received five hearing units less than requested at prices \$1,390/unit. In addition, **V. CHAIR MILLER** wanted to clarify the tuition cost for MSDB. In statue, only out-of-state students pay tuition and out-of-state local school districts pay tuition of \$48,000 per student. In Montana each student attends MSDB without cost to each district. However, ANB [average number belonging to the enrollment unit used by Montana Public Schools] doesn't fund MSDB. Although legislators discussed ANB being used to pay MSDB tuition, **Mr. Kinna** pointed out that with all school districts cutting budgets, the MSDB campus would be empty and, to save money, districts would retain students that would otherwise attend MSDB. MSDB serves 251 outreach students with five Outreach Consultants, however this year MSDB has only four consultants.

**{Tape : 3; Side : B; Approx. Time Counter :0}**

**Mr. Brown** presented the original budget of the MSDB and compared the national standard of one Outreach Consultant per 25 students to the Montana standard of one Outreach Consultant per 50

students. According to **Mr. Sykes**, the original budget requests would double the contact with each outreach student.

**EXHIBIT(jeh05a07)**

**V. CHAIR MILLER** then asked whether cigarette smoke effected either vision or hearing. **Mr. Kinna** reported that he is investigating research done on Fragile X Chromosome Syndrome which affects a number of students at MSDB are diagnosed with.

**Diane Fladmo, Prairie View Special Services Cooperative** and the **Board of Public Education**, spoke in favor of increasing the salaries of interpreters as interpreters are difficult to recruit based on low salaries. Special Education Programs are generic and each school district needs to be prepared for each student's needs.

**EXHIBIT(jeh05a08)**

**Inga Nelson, Montana Educational Association-Montana Federation of Teachers**, encouraged increased funding of interpreter salaries as teachers are grossly underpaid.

*{Tape : 3; Side : A; Approx. Time Counter : 12.8 or Time 11:04}*



**ADJOURNMENT**

Adjournment: 11.40 A.M.

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REP. JOHN WITT, Chairman

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CAYENNA JOHNSON, Secretary

JW/CJ

**EXHIBIT** (jeh05aad)